

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL ACTION
 : NO. 20-00318
 :
 :
 MIKAL UPSHUR :
 :

ORDER

AND NOW, this **28th** day of **April, 2021**, upon consideration of Defendant's Motions to Suppress (ECF Nos. 24, 37), the Government's Response thereto (ECF No. 40), Defendant's Reply in Support (ECF No. 42), and Defendant's post-hearing briefing (ECF No. 51), and following a suppression hearing held on April 21, 2021, it is hereby **ORDERED**, for the reasons set forth in the accompanying memorandum, that:

1. Defendant's Motion to Suppress Evidence (ECF No. 24) is **DENIED** and
2. Defendant's Motion to Suppress Statements (ECF No. 37) is **GRANTED in part and DENIED in part**, such that Defendant's statements made in response to direct police questioning will be suppressed but Defendant's spontaneous statement will not be suppressed.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.